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Letter dated 10 April 2012 from the Secretary-General addressed to the President of the Security Council

I have the honour to convey to you a letter dated 3 April 2012 from His Excellency Jean Ping, Chairperson of the African Union Commission (see annex), forwarding the communiqués of the 314th and 316th African Union Peace and Security Council meetings on the situation in Mali.

I should be grateful if you would bring the present letter and its annex to the attention of the members of the Security Council.

(*Signed*) **BAN** Ki-moon

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Please recycle

Annex

Letter dated 3 April 2012 from the Chairperson of the African Union Commission addressed to the Secretary-General

I am forwarding, herewith, the communiqué on the situation in the Republic of Mali adopted by the African Union Peace and Security Council, at its 316th meeting held on 3 April 2012.

The African Union (AU) and the Economic Community of West African States (ECOWAS) are deeply concerned by the prevailing situation in Mali. It is of utmost importance that we pool our efforts together to urgently restore constitutional order, as well as to bring to an end the attacks being perpetrated against Mali by rebel groups acting together with terrorist and criminal transnational networks, with the view to protecting the unity and territorial integrity of the country. In this respect, the AU and ECOWAS have adopted a set of measures, including sanctions, to achieve our common objective of restoring democracy and promoting lasting peace and stability in Mali.

Against this background, the support of the United Nations Security Council and its members, as well as your personal support, are of critical importance. I have no doubt that the United Nations will lend full support to the ongoing ECOWAS and AU's efforts, including the sanctions imposed on both the coup leaders and the terrorist and other armed groups operating in the northern part of Mali.

I would be most grateful if you could circulate this letter, today's PSC communiqué and earlier communiqués on the situation in Mali.

(*Signed*) Jean **Ping**

Enclosure 1

Peace and Security Council
314th Meeting at Ministerial Level
Bamako, Mali
20 March 2012

PSC/MIN/DECL(CCCXIV)

Communiqué

The Peace and Security Council of the African Union (AU), at its 314th meeting held at the ministerial level in Bamako, Mali, on 20 March 2012, adopted the following decision on the situation in the northern part of Mali:

Council,

1. **Takes note** of the report of the Chairperson of the Commission on the situation in the Sahel region, in particular the paragraphs on the situation in the northern part of Mali (PSC/MIN/3(CCCXIV));

2. **Expresses its deep concern** about the situation created by the attacks that the rebel elements of the *Mouvement national pour la Libération de l'Azawad — MNLA* (National Movement for the Liberation of Azawad) and other rebel groups, including major displacement of people within Mali and towards the neighbouring countries. Council **stresses** the seriousness of the threats that this new crisis poses for peace, security and stability in Mali and in the region as a whole, particularly in view of the overall fragility of the situation, which is marked by the proliferation of all types of arms, terrorism and transnational organized crime;

3. **Reaffirms** the relevant provisions of decision Assembly/AU/Dec.408 (XVIII), adopted by the 18th Ordinary Session of the Assembly of the Union, held in Addis Ababa, on 29 and 30 January 2012, as well as those of the final communiqué of the 40th Ordinary Session of the Authority of Heads of State and Government of the Economic Community of West African States (ECOWAS). Council **welcomes** the press releases on the situation in the northern part of Mali issued by the Chairperson of the AU Commission on 18 January and 12 March 2012, as well as by the President of the ECOWAS Commission on 19 March 2012;

4. **Further reaffirms** its unwavering commitment to the respect of the national unity, territorial integrity and sovereignty of Mali and **stresses the determination** of the AU and its Member States to guard against their violation. Council **expresses** the solidarity of Africa with the people and Government of Mali, as well as its support to their efforts towards the speedy restoration of normalcy in the areas affected by the conflict;

5. **Stresses** the rejection by the AU of the recourse to armed rebellion in Mali, a country whose democratic institutions offer a framework for the expression of all legitimate claims and make it possible to find, through dialogue, solutions to the concerns of the different components of the Malian nation. Council **underscores its conviction** that recourse to armed rebellion poses a serious threat to the democratization process on the continent, as well as to Africa's stability and development, and must, as such, be discouraged and strongly fought against. Council **requests** all AU partners to mark their support for the principled position of

the AU and consequently promote a unified position of the entire international community on this matter;

6. **Demands** the immediate cessation of hostilities and **urges** the different rebel groups to commit themselves, without delay, to the search of a peaceful solution to the crisis within the strict framework of the AU principles, particularly the respect and preservation of the national unity, territorial integrity and sovereignty of Mali. Council **expresses its appreciation** to the Government of Mali for its affirmed readiness to work towards a peaceful and fair solution to the crisis;

7. **Expresses** its determination to actively support a mediation process spearheaded by the neighbouring countries of Mali, particularly the core countries and especially Algeria, considering the crucial role this country has always played in the search for solutions to the situation, as well as by ECOWAS, and **requests** the Chairperson of the Commission to determine the modalities for the immediate implementation of such a mediation process and the promotion of the necessary synergies, to facilitate a peaceful settlement. Council **also requests** the Chairperson of the Commission to take all necessary steps for the mobilization by the AU of support from the rest of the continent and international, community as a whole to this process, including through the establishment, under the aegis of the AU and the United Nations, of a support and follow-up group comprising all the neighbouring countries, the relevant Regional Economic Communities (ECOWAS and the Community of the Sahelo-Saharan States — CEN-SAD), as well as the international partners concerned;

8. **Pays tribute** to the neighbouring countries of Mali, which, in spite of the effects of the food crisis faced by the Sahel, are hosting Malian refugees on their territories. Council **encourages** the host countries, in line with the guidelines of the AU and the United Nations High Commissioner for Refugees, to take the necessary steps to relocate the refugee camps away from the border areas. Council **expresses its gratitude** to the international community as a whole for the humanitarian assistance provided to the Malian population affected by the present crisis in the northern part of the country;

9. **Requests** the Chairperson of the Commission, in cooperation with the Government of Mali, ECOWAS, the neighbouring countries and the United Nations, to take all the necessary measures for the organization, as soon as possible, of a round table of development partners on the modalities for enhancing and intensifying their support for Mali. Council **also requests** the Chairperson of the Commission to speedily convene an African Solidarity Conference in favour of Mali and the equitable development of the affected regions;

10. **Requests** the Chairperson of the Commission to submit to it quarterly reports on the developments of the situation and the follow-up of the present communiqué, and **decides** to remain actively seized with the matter.

Enclosure 2

Peace and Security Council
316th Meeting
Addis Ababa, Ethiopia
3 April 2012

PSC/PR/COMM.(CCCXVI)

Communiqué

The Peace and Security Council of the African Union (AU), at its 316th meeting held on 3 April 2012, adopted the following decision on the situation in the Republic of Mali:

Council,

1. **Takes note** of the briefing provided by the Commissioner for Peace and Security, and the statement made by the representative of the Economic Community of West African States (ECOWAS) on the evolving situation in Mali;

2. **Recalls** its Communiqués PSC/MIN/Comm.(CCCXIV) and PSC/PR/COMM (CCCXV) adopted at its 314th and 315th meetings held on 20 and 23 March 2012, respectively;

3. **Reaffirms** the unwavering commitment of the AU and all its Member States to the national unity and territorial integrity of the Republic of Mali, and the determination of Africa to spare no effort to ensure their preservation. Council **also reaffirms** the relevant AU instruments, particularly the Algiers Decision and the Lomé Declaration, and the provisions of the African Charter on Democracy, Elections and Governance, which reject any unconstitutional change of Government, including seizure of power by force;

4. **Recalls** the strong condemnation by the AU of the *coup d'état* which took place in Mali on 22 March 2012, as well as the need to restore constitutional order and ensure the resumption of the normal functioning of the republican institutions. Council **notes** that this *coup d'état*, which constitutes a serious setback for Mali and Africa, has severely weakened Mali and undermined its national cohesion at a time when the country is facing rebellion by armed groups in the northern part of its national territory;

5. **Reiterates AU's support** to the efforts of ECOWAS for the preservation and respect of the national unity and territorial integrity of Mali, as well as the return to constitutional order in the country, in pursuance of the communiqué issued at the end of the 40th Ordinary Session of the Authority of Heads of State and Government of ECOWAS, held in Abuja on 16 and 17 February 2012, the Extraordinary Summit held in Abidjan on 27 March 2012, the meeting of the delegation of the six Heads of State of ECOWAS held in Abidjan on 29 March 2012, and the Extraordinary Session held in Dakar on 2 April 2012;

6. **Rejects** all delaying tactics of the perpetrators of the *coup d'état*, and **demands** the restoration, without further delay, of constitutional order and the resumption of the normal functioning of the republican institutions on the basis of the relevant provisions of the Malian Constitution;

7. **Decides**, in view of the refusal of the military junta to respond immediately and in good faith to the requests of the AU and ECOWAS, to impose, with immediate effect, individual measures, including travel ban and asset freeze, against the leader and members of the junta, as well as against all individuals and entities contributing, in one way or another, to the maintenance of the unconstitutional *status quo* and impeding AU and ECOWAS efforts. Council **requests** the Commission, in close collaboration with the ECOWAS Commission, to establish the list of the individuals and entities concerned, for immediate transmission to all AU Member States and partners. Council **holds** the members of the junta personally and collectively responsible for the actions that they have taken, as well as for the security and safety of all political personalities, including the legitimate President, Amadou Toumani Touré, and other opponents to the *coup d'état* arrested since the unconstitutional change of 22 March 2012. Council **recalls** that, in pursuance of article 25 (5) of the African Charter on Democracy, Elections and Governance, the perpetrators of unconstitutional change of government are liable to prosecution;

8. **Expresses its full support** for the sanctions imposed by ECOWAS, in pursuance of its communiqués of 27 and 29 March 2012. Council **requests** the Commission, in collaboration with the ECOWAS Commission, to facilitate the effective implementation of these sanctions, so that they quickly generate the desired effect on the junta and its supporters, while seeking to minimize their impact on the civilian population, and to develop implementation guidelines, including provisions relating to humanitarian assistance;

9. **Reiterates the strong condemnation** by the AU of the attacks perpetrated by armed groups in collaboration with terrorist groups, including the Al-Qaeda in the Islamic Maghreb (AQMI), and transnational criminal networks against the sovereignty, unity and territorial integrity of Mali, as well as the abuses committed against civilians in the different localities occupied by these armed groups. Council **rejects** the use of force by the said groups, and **declares** null and of no value all the consequences that the armed groups concerned aim to draw from the occupation of a part of the Malian territory and the announcements made or to be made in this respect;

10. **Calls on** the Commission, in collaboration with the ECOWAS Commission, the core countries and the Algiers-based African Centre for the Study and Research on Terrorism, to develop, within one month, the list of all terrorist and other armed groups operating in conjunction with them on the territory of the Republic of Mali, for their inclusion in the AU's list of terrorist groups;

11. **Emphasizes** the need to put an immediate end to the attacks by the rebel movements in the north of the country, to restore the authority of the Government of Mali on its entire territory and to facilitate the search for a lasting solution to any legitimate claim, on the basis of strict respect for the national unity, territorial integrity and sovereignty of Mali. In this regard, Council **endorses** the decision of ECOWAS to activate the planning process for the possible deployment of elements of its Standby Brigade to assist in protecting the unity and territorial integrity of Mali, and **requests** the Commission to extend the necessary support to the ECOWAS initiative, including through the provision of planning personnel. Council **calls upon** all Member States and AU partners to provide the financial, logistical and other necessary support to ECOWAS's efforts;

12. **Calls upon** countries in the region, particularly those of ECOWAS and the core countries, and to all other States to do everything possible to prevent any flow of arms and fighters for the armed and terrorist groups operating in the northern part of Mali. In this respect, Council **requests** the Commission, in collaboration with the ECOWAS Commission and neighbouring countries, to establish the required mechanisms to ensure the effectiveness of this measure. Council **also decides** to apply the individual sanctions mentioned in paragraph 7 of this communiqué to the leaders and members of armed groups involved in the attacks in northern Mali and in atrocities against the civilian population. Council **requests** the Commission, in collaboration with the ECOWAS Commission, to establish and disseminate to Member States and AU partners the list of such individuals;

13. **Strongly appeals** to all AU bilateral and multilateral partners to support all the measures adopted by the AU and ECOWAS and contribute to their effective implementation and, in this regard, **requests** the Chairperson of the Commission to take all measures and initiatives he deems appropriate;

14. **Recalls** the provisions of paragraph 7 of communiqué PSC/MIN/Comm. (CCCXIV), requesting the Chairperson of the Commission to determine with the actors concerned the modalities for the implementation of a mediation process and the promotion of the required synergies to facilitate the settlement of the crisis in northern Mali, by addressing the root causes of the conflict in order to reach an agreement between the parties. In this regard, Council **welcomes** the ECOWAS decision to appoint President Blaise Compaoré of Burkina Faso as a Mediator in the crisis in Mali, and **requests** the Chairperson of the Commission to continue and intensify the consultations undertaken both with ECOWAS and the core countries, within the framework of paragraph 7 of communiqué PSC/MIN/Comm.(CCCXIV);

15. **Requests** the Chairperson of the Commission to expedite his consultations with ECOWAS, the core countries and the United Nations for the urgent convening in the region of a meeting of the Support and Follow-up Group established in pursuance of paragraph 7 of communiqué PSC/MIN/Comm.(CCCXIV) and whose mandate was extended to cover the issue of the return to constitutional order, in accordance with paragraph 12 of PSC/PR/Comm.(CCCXV), to enhance the effectiveness of collective African action, as well as mobilize and coordinate support from the international community at large to the AU and ECOWAS efforts on the situation in Mali;

16. **Requests** the Chairperson of the Commission to forward this communiqué to the United Nations Security Council, the European Union and other AU bilateral and multilateral partners for their information and appropriate action;

17. **Decides** to remain actively seized of the matter.